

CITY OF TALLAHASSEE

CITY COMMISSION AGENDA ITEM

ACTION REQUESTED ON: June 11, 2003

SUBJECT/TITLE: Introduction of Ordinance #03-O-37 Ox Bottom Reserve
Voluntary Annexation

TARGET ISSUE: N/A

STATEMENT OF ISSUE

The owner of a parcel (Tax ID# 1428206090000) has petitioned the City for annexation of approximately 12.5 acres north of and adjacent to Ox Bottom Road. The property is zoned R-1 and a 27-lot subdivision is being developed on the property. The development is being approved and permitted through Leon County due to its inclusion in the Bradfordville Study Area and the developer has been working with City Growth Management to address specific development issues prior to annexation.

The City Attorney has determined that this annexation fully qualifies under the statutory requirements of Chapter 171, Florida Statutes.

A copy of the proposed annexation was provided to Leon County Board of Commissioners at the time that it was distributed to the City Commission.

RECOMMENDED ACTION

Option 1 – Introduce Voluntary Annexation Ordinance # 03-O-37 Ox Bottom Reserve and set the public hearing date for June 25, 2003.

FISCAL IMPACT

Based on the current property tax rate of 3.2 mills, it is projected that this development will generate approximately \$25,500 annually in property taxes, and \$27,000 in electric, water/sewer, and gas revenues at build-out. Expenses include approximately \$58,200 for water, sewer and gas utilities' refunds, and \$7300 for installation of street lighting; there will also be annual maintenance expenses related to the stormwater facility and right of way.

Dinah Hart
Administrative Services Manager/DMA

Anita R. Favors
City Manager

For Information, please contact: Dinah Hart, ext. 8209

ITEM TITLE: Introduction of Ordinance #03-O-37 Ox Bottom Reserve Voluntary Annexation

SUPPLEMENTAL MATERIAL/ISSUE ANALYSIS

HISTORY/FACTS & ISSUES

The owner of a parcel (Tax ID# 1428206090000) has petitioned the City for annexation of approximately 12.5 acres north of and adjacent to Ox Bottom Road. The property is zoned R-1 and a 27-lot residential subdivision is being developed on the property. The property is within the Urban Services Area. Approval of the annexation would support the Annexation Goals as identified in the Comprehensive Plan and the annexation strategy adopted by the City Commission.

Early in 2002 the developer had approached the City regarding annexation of the property. However, at the recommendation of the City Growth Management Director, the development is being approved and permitted through Leon County due to its inclusion in the Bradfordville Study Area. The developer has been working with Growth Management to address specific development issues prior to annexation.

STATEMENT OF URBAN SERVICES

I. Introduction

The purpose of this statement is to provide information on the land use compatibility and level of urban services that will be provided to the proposed Ox Bottom Reserve annexation.

II. Land Use

The area proposed for annexation consists of approximately 12.5 acres and is located within the Urban Services Area (USA). According to the Planning Department, the property is located in the Mixed Use land use category on the Future Land Use Map. The Official Zoning Atlas indicates that the current zoning is R-1; no rezoning is required. Leon County Property Appraiser's Records show no structures on this parcel.

Staff has reviewed the proposed annexation (Tax ID number 14-28-20-609-0000). The information required in Intergovernmental Element Policy 2.1.4 was not supplied to the Planning Department for their review. The Department could find the proposal consistent with the Comprehensive Plan, subject to the following provisions being met:

- The annexation is in accordance with the requirements of Chapter 172, Florida Statutes as set forth in Policy 2.1.4[I].
- The plan for annexation shall be provided by the City Manager to the County Administrator and the Board of County Commissioners at the time it is provided to the City Commission. All procedures for review and comment on the annexation as set forth in Policy 2.1.4[I] shall be followed.
- The City shall provide information as to how it will provide full urban services to the area to be annexed pursuant to Policy 2.1.1 {I}.
- A description of how land use compatibility will be ensured, pursuant to Policy 2.1.4(a)[I].

- A description of how facilities will be provided and by which entity, pursuant to Policy 2.1.4(b)[I].
- A description of how the level of service standards will be maintained consistent with the Comprehensive Plan, pursuant to Policy 2.1.4 (c)[I].
- The amount of any agreed upon water and/or sewer rebate that will be due to the petitioner, pursuant to Policy 2.1.4(d)[I].

The following is provided as additional information related to this site:

- This property is within the Mixed Use A Future Land Use Category.
- The Official Zoning Atlas indicates that the current zoning is R-1, this allows up to 3.63 units per acre single-family detached residential units. The City's R-1 district is comparable to the County's R-1 district.

Status of Permits

This parcel has received approval from the County Development Review Committee (DRC) for 27 single-family detached residential units. All subdivision approvals, including concurrency and environmental permits, have been issued by Leon County and the project will accepted by the County.

III. Urban Services

The level of urban services that may be provided to the area proposed for annexation will be consistent with the level provided to areas within the City.

- A. Fire Protection Service – The City provides fire protection on an area wide basis. In the corporate limits, the fire department responds to alarms within an average of four (4) minutes. Fire Station #9 at 3205 Thomasville Road can provide fire and emergency services to this area.
- B. Police Protection Service – Tallahassee maintains a comprehensive law enforcement program. The full range of these services will be provided to the area upon annexation.
- C. Street Maintenance and Right of Way Service – The City will assume responsibility for maintaining city-owned streets upon annexation. The City has a comprehensive public street construction program.
- D. Traffic Planning and Control – The maintenance of street signs, pavement markings, and traffic signals on city-owned streets will be assumed by the City upon annexation.
- E. Street Lighting – Tallahassee has a comprehensive program for the installation and maintenance of streetlights. Based on the site map, staff estimates that the installation of street lights will be approximately \$7300.
- F. Parks and Recreation Services – The City provides a comprehensive Parks and Recreation program and system of parks for its citizens. Parks and Recreation has an 86 acre park site in the Ox Bottom Manor subdivision that is scheduled to be developed as a passive park in FY08, utilizing \$200,000 in Sales Tax funds. There are no additional park facilities in this area planned

at this time. Active recreational demand is met through facilities at Phipps, the Meadows Soccer Complex, and Meridian Park.

- G. Bus Service – The City owns and operates a public transit system. Annually, a system-wide analysis is performed to evaluate bus service within all areas of the corporate limits. The nearest bus stop is 2.62 miles, located at the corner of Thomasville Road/Village Square Blvd. No service extension to that area is planned in the near future. Additionally, the Dial-a-Ride program, a specialized transportation service for citizens who are disabled, will be extended to this area upon annexation. The Dial-a-Ride program is also available to citizens over the age of 60 on a space available basis. Given the plans for a residential development, expansion of service to this area may impact the Dial-a-Ride program when the property is developed.
- H. Electric Service – The City currently provides electric service to this area. Extension of electric service to new customers in the area will be in accordance with established policy and other utility agreements.
- I. Water and Sewer Service – Water and Sewer are available. While the development has been permitted by the County and will proceed through final inspection, the City has agreed to allow the developer to amend the letter of agreement upon successful annexation to take advantage of the rebates and refund policies in effect within the city limits. This would make them eligible for about \$48,600 in rebates.
- J. Gas Service – The City generally provides natural gas to a site when requested and after a feasibility analysis. The Gas Utility is planning to install the infrastructure for gas service within the next few weeks and the service taps will follow in a few months.
- K. Stormwater Service – Stormwater services to the area will be provided at the same level as currently provided to areas within the City.
- L. Solid Waste Service – Solid waste collection and disposal services will be provided by the City upon annexation.

OPTIONS

Option 1 – Introduce Voluntary Annexation Ordinance # 03-O-37 Ox Bottom Reserve and set public hearing date for June 25, 2003.

Option 2 – Set another date for public hearing.

Option 3 – Do not proceed with the proposed voluntary annexation.

RECOMMENDATIONS

Option 1 – Introduce Voluntary Annexation Ordinance # 03-O-37 Ox Bottom Reserve and set public hearing date for June 25, 2003.

ATTACHMENTS/REFERENCES

Attachment 1 – Proposed Ordinance #03-O-37

Attachment 2 – Location Map

ORDINANCE NO. 03-O-37

AN ORDINANCE OF THE CITY OF TALLAHASSEE, FLORIDA, AMENDING CHAPTER SIX OF THE CHARTER OF THE CITY OF TALLAHASSEE, TO ANNEX WITHIN THE CORPORATE AREA OF THE CITY OF TALLAHASSEE, FLORIDA, UPON ADOPTION OF SAID ORDINANCE, PROPERTY BEING SITUATED IN LEON COUNTY, FLORIDA, IN ACCORDANCE WITH THE VOLUNTARY ANNEXATION PROVISIONS OF SECTION 171.044, FLORIDA STATUTES; PROVIDING FOR SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

WHEREAS, there has been filed with the City of Tallahassee, Florida, a petition containing the names and signatures of all of the property owners in the area described hereinafter requesting annexation into the corporate area of the City of Tallahassee, Florida; and,

WHEREAS, it has been determined that the property described hereinafter is reasonably compact and contiguous to the corporate area of the City of Tallahassee, Florida, and it has further been determined that the annexation of said property will not result in the creation of any pocket or enclave; and,

FURTHER WHEREAS, the City of Tallahassee, Florida, is in a position to provide municipal services to the property described herein, and that the City Commission of the City of Tallahassee, Florida, deems it in the best interest of the City to accept said petition and to annex said property.

NOW, THEREFORE, BE IT ENACTED BY THE PEOPLE OF THE CITY OF TALLAHASSEE, FLORIDA:

Section 1. That the property described below, situated in Leon County, Florida, be and the same is hereby annexed to and made a part of the City of Tallahassee, Florida, pursuant to the voluntary annexation provisions of Section 171.044, Florida Statutes, to wit:

OX BOTTOM RESERVE on OX BOTTOM ROAD.

COMMENCE at an intersection of the westerly right-of-way boundary of State Road No. 61 (Thomasville Road) with the northerly right-of-way boundary of Ox Bottom Road; thence, leaving the westerly right-of-way of said Thomasville Road, South 58 degrees 50 minutes 57 seconds West 33.77 feet to a point on the northerly right-of-way boundary of Ox Bottom Road, thence North 84 degrees 19 minutes 19 seconds West along said right-of-way boundary 351.82 feet to the southeast corner of that property as recorded in Official Records Book 1287, Page 950 (Tax I.D. 14-28-20-401) of said Public Records, thence leaving the northerly right-of-way boundary of Ox Bottom Road run along the easterly, northerly and westerly boundary of that property as recorded in Official Records Book 1287, Page 950 of said Public Records as follows: North 24 degrees 26 minutes 38 seconds East a distance of 818.70 feet, thence North 53 degrees 17 minutes 10 seconds West 61.40 feet, thence South 24 degrees 26 minutes 38 seconds West 190.00 feet, thence South 53 degrees 17 minutes 10 seconds East 40.94 feet, thence South 24 degrees 26 minutes 38 seconds West 280.04 feet, thence North 49 degrees 25 minutes 18 seconds West 301.17 feet, thence South 21 degrees 42 minutes 37 seconds West 533.75 feet to the northerly right-of-way boundary of Ox Bottom Road; thence North 84 degrees 19 minutes 32 seconds West along said northerly right-of-way boundary 715.59 feet; thence North 88 degrees 19 minutes 30 seconds West along said right-of-way boundary 1103.02 feet, more or less, to the southeast corner of that property as recorded in Official Records Book 1109, Page 2229 (Tax I.D. 14-28-20-609) of said Public Records for the **POINT OF BEGINNING**. From said **POINT OF BEGINNING** thence continue along the northerly right-of-way boundary of said Ox Bottom Road and the southerly boundary of said parcel last referenced, North 88 degrees 21 minutes 55 seconds West, a distance of 829.50 feet to the southwest corner of said parcel last referenced; thence, leaving said northerly right-of-way boundary, run North 00 degrees 21 minutes 49 seconds West along the westerly boundary of said parcel last referenced, a distance of 656.88 feet to the northwest corner of said parcel last referenced; thence South 88 degrees 21 minutes 55 seconds East, along the northerly boundary of said parcel last referenced, a distance of 829.42 feet to the northeast corner of said parcel last referenced; thence South 00 degrees 22 minutes 13 seconds East along the easterly boundary of said parcel last referenced, a distance of 656.88 feet to the **POINT OF BEGINNING**; Containing 12.507 acres, more or less and lying in the southwest quadrant of Section 28, Township 2 North, Range 1 East, Leon County, Florida.

Section 2. That upon this ordinance becoming effective, the property owners and any resident on the property described herein shall be entitled to all the rights and privileges and immunities as are from time to time granted to residents and property owners of the City of

Tallahassee, Florida, as further provided in Chapter 171, Florida Statutes, and shall further be subject to the responsibilities of residence or ownership as may from time to time be determined by the governing authority of the City of Tallahassee, Florida, and the provisions of said Chapter 171, Florida Statutes.

Section 3. If any section or portion of a section of this ordinance proves to be invalid, unlawful, or unconstitutional, it shall not be held to impair the validity, force, or effect of any other section or part of this ordinance.

Section 4. That all ordinances or parts of ordinances in conflict herewith be and the same are hereby revoked.

Section 5. That this ordinance shall become effective immediately upon its passage and adoption.

INTRODUCED in the City Commission on the 11 th day of June, 2003

PASSED the City Commission on the _____ day of _____, 2003.

JOHN R. MARKS III, Mayor

ATTEST:

GARY HERNDON
City Treasurer-Clerk

APPROVED AS TO FORM:

JAMES R. ENGLISH
City Attorney